



Patent  
Attorney Docket: 246/180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

VEGETO, Elisabetta et al.

Serial No.: 09/465,133

Filed: December 16, 1999

For: MUTATED STEROID HORMONE  
RECEPTORS, METHODS FOR THEIR USE  
AND MOLECULAR SWITCH FOR GENE  
THERAPY

Group Art Unit: 1633

Examiner: Christopher Drabik

TRANSMITTAL LETTER

BOX NO FEE  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please find the following enclosures:

1. Amendment (6 pages);
2. Request for Corrected Filing Receipt;
3. Copies of the returned postcard and Preliminary Amendment filed on December 16, 1999;
4. Copy of the Corrected Filing Receipt dated January 4, 2002 with markings in red ink; and
5. Return postcard.

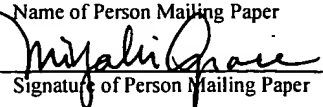
LA-232213.1

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 3, 2002  
Date of Deposit

Miyabi Grace  
Name of Person Mailing Paper

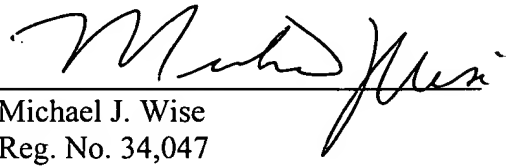
  
Signature of Person Mailing Paper

RECEIVED  
APR 22 2002  
TECH CENTER 1600/2900

No fee is believed due with this transmittal. If, however, Applicants are in error in this regard, the Commissioner is authorized to charge required fees from Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,  
LYON & LYON LLP

Dated: 4/3/02

By:   
Michael J. Wise  
Reg. No. 34,047



29836

PATENT TRADEMARK OFFICE

LYON & LYON LLP / VALENTIS, INC.  
633 W. Fifth Street, Suite 4700  
Los Angeles, CA 90071  
Ph: (213) 489-1600  
Fax (213) 955-0440



#14/1388cep +  
4/23/02 Patent  
Attorney Docket No. 246/180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

VEGETO, Elisabetta et al.

Serial No.: 09/465,133

Filed: December 15, 1999

For: MUTATED STEROID HORMONE  
RECEPTORS, METHODS FOR  
THEIR USE AND MOLECULAR  
SWITCH FOR GENE THERAPY

Group Art Unit: 1633

Examiner: Christopher Drabik

REQUEST FOR CORRECTED FILING RECEIPT

Box NO FEE  
Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
APR 22 2002  
TECH CENTER 1600/2900

Dear Sir:

Applicants respectfully request that a new Corrected Filing Receipt issue for the above-referenced application. The Corrected Filing Receipt mailed by the U.S. Patent and Trademark Office on January 4, 2002 does not indicate the correct Domestic Priority data and Attorney Docket Number. Please correct the Filing Receipt to reflect the following:

- 1) Priority Claim to include at the end "WHICH IS A CIP OF 07/882,771 05/14/1992  
PAT 5,364,791" and
- 2) Attorney Docket Number changed from "213/103" to "246/180."

LA-229085.2

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 3, 2002  
Date of Deposit

Miyabi Grace  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper

Submitted herewith as support of the Applicants' claim for the right of priority and correct docket number are copies of the Preliminary Amendment filed with this continuation patent application on December 16, 1999 and the postcard returned by the USPTO confirming receipt of this paper. A copy of the Corrected Filing Receipt with corrections marked in red is also enclosed for your convenience.

If you have any questions or comments, please do not hesitate to contact the undersigned.

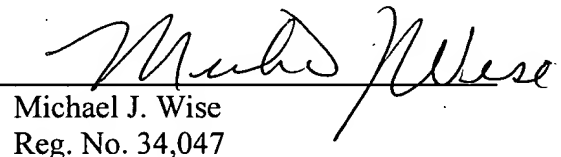
Applicants believe that no fee is necessary at this time. However, if any fees are associated with this request, the Commissioner is authorized to charge the necessary amount from Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,  
LYON & LYON LLP

Dated: \_\_\_\_\_

4/3/02

By: \_\_\_\_\_

  
Michael J. Wise  
Reg. No. 34,047



29836

PATENT TRADEMARK OFFICE

LYON & LYON LLP / VALENTIS, INC.  
633 W. Fifth Street, Suite 4700  
Los Angeles, CA 90071  
Ph: (213) 489-1600  
Fax (213) 955-0440



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/465,133	12/15/1999	1633	598	<del>243/103</del> 246/180	9	31	1

CONFIRMATION NO. 8491

## CORRECTED FILING RECEIPT



\*OC000000007265543\*

22249  
LYON & LYON LLP  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES, CA 90071

RECEIVED

APR 22 2002

TECH CENTER 1600/2900

Date Mailed: 01/04/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

ELISABETTA VEGETO, MILAN, ITALY;  
DONALD P. MCDONNELL, CHAPEL HILL, NC;  
BERT W. O'MALLEY, HOUSTON, TX;  
WILLIAM T. SCHRADER, LA JOLLA, CA;  
MING-JER TSAI, HOUSTON, TX;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/209,981 12/09/1998  
WHICH IS A DIV OF 08/479,846 06/06/1995 PAT. 5,874,534  
WHICH IS A CON OF 07/939,246 09/02/1992 ABN  
WHICH IS A CIP OF 07/882,771 05/14/1992 PAT 5,364,791

## Foreign Applications

If Required, Foreign Filing License Granted 02/01/2000

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

RECEIVED

JAN 10 2002

U.S. PROSECUTION

MUTATED STEROID HORMONE RECEPTORS, METHODS FOR THEIR USE AND  
MOLECULAR SWITCH FOR GENE THERAPY

Preliminary Class

530

**LICENSE FOR FOREIGN FILING UNDER** **RECEIVED**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15** APR 22 2002

TECH CENTER 1600/2900

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

Applicant: VALENTIS, INC.  
Serial No.: Unassigned; Continuation of USSN 09/209,981  
Inventor: Vegeto, et al.  
For:

**MUTATED STEROID HORMONE RECEPTORS, METHODS FOR THEIR USE AND  
MOLECULAR SWITCH FOR GENE THERAPY**

Attorney(s): Charles S. Berkman  
Docket No.: 246/180  
Date of Deposit: December 16, 1999  
Express Mail: EL088596130US  
Enclosure(s): Utility Patent Application Including Transmittal (1 pg); Preliminary Amendment (8 pgs); Fee Transmittal; Statement Regarding Sequence Listing; paper copy of Sequence Listing; copy of Substitute Declaration 8 pgs; Information Disclosure Stmt. w/1449 (7 pgs); 35 pgs. of Description, Claims 13 pgs., Drawing 9 pgs.; Abstract 1 pg.; and return postcard

I

SD-121045.1

